## UNITED STATES DISTRICT COURT FOR DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

v.

CRIMINAL NUMBER: 17-00240-001

NICHOLAS KYLE MARTINO

Defendant,

### NOTICE OF MOTION

To: United States District Court
Camden Federal Building
401 Market Street, 4th Floor
P.O. Box 2098
Camden, NJ 08101-2098

PLEASE TAKE NOTICE, that the Defendant, Nicholas Martino, is filing a Motion for Removal of Counsel/Appointment of Conflict Pool Counsel in person at the U.S. Federal Courthouse in Camden, NJ on Monday, July 30, 2018.

Respectfully Submitted,

Min Mont

Nicholas Kyle Martino, Pro Se

Federal Register Number: 70570-050

Federal Detention Center-Philadelphia

700 Arch Street

P.O. Box 562

Philadelphia, PA 19106

Date: 7/30/18

# UNITED STATES DISTRICT COURT FOR DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

v.

CRIMINAL NUMBER: 17-00240-001

NICHOLAS KYLE MARTINO

Defendant,

### MOTION FOR REMOVAL OF COUNSEL/APPOINTMENT OF CONFLICT COUNSEL

COMES NOW THE DEFENDANT, Nicholas Kyle Martino, Pro Se and pursuant to 28 U.S.C.A. § 3006(A), to move this Honorable Court to remove his current counsel, Christopher O'Malley, Esq. and replace him with an attorney from the conflict pool. In support of this motion, The defendant does aver the following:

- 1. Attorney (hereafter "O'Malley") refuses to allow the defendant to send letters of correspondance to him regarding his Federal Criminal matter, and also refuses to send any type of information to his client regarding the case at hand.
- 2. O'Malley refuses to speak with the defendant. Every effort made by the defendant was declined to date.
- 3. Some appointments that O'Malley has scheduled with the defendant has gone by without any reason in writing by counsel.
- 4. In light of the aforementioned statements, the defendant feels that there are unreconcilable differences between he and O'Malley.

WHEREFORE, the defendant asks for relief to be given by removing the current counsel and appointing new counsel for the duration of this case.

#### CERTIFICATE OF SERVICE

I, <u>Nicholas Kyle Martino</u>, the defendant in the attached motion for removal of counsel/appointment of conflict counsel do hereby certify under penalty of perjury pursuant to <u>28 USC 1746</u> that I have served a true and correct copy of the motion in person to the following party(s) on this <u>30th</u> day of July, 2018:

Honorable Judge Jerome B. Simandle United States District Court District of New Jersey 401 Market Street Camden, NJ 08101-2098

Sara Attorney

Sara Aliabadi, AUSA

401 Market Street

Camden, NJ 08101-2098

Respectfully Submitted,

Mu Make

Nicholas Kyle Martino